

SUPPORT FOR THE AMENDMENTS

Claims 1-25, 27, 29, and 33-39 have been canceled.

Claims 26, 28, 30-32, and 40 have been amended.

Claims 41-43 have been added.

Support for the amendment of Claims 26, 28, 30-32, and 40 and the introduction of Claims 41-43 are supported by original Claims 1-40 and the specification as filed.

No new matter has been added by the present amendments.

REMARKS

Claims 26, 28, 30-32, and 40-43 are pending in the present application.

The objection to Claims 19 and 26 under 35 U.S.C. 1.75(c) is obviated by amendment. The claims have been amended to remove improper multiple dependencies. Withdrawal of this ground of objection is requested.

The rejections of:

- (a) Claims 1-3, 5, 6, 8, 10, 11, 17, and 18 under 35 U.S.C. 102(e) over Jacotot et al,
- (b) Claims 1-3, 5, 6, 8, 10, 11, 17, and 18 under 35 U.S.C. 102(e) over Edelman et al,
- (c) Claims 1-3, 5, 6, 8-11, and 17 under 35 U.S.C. 102(b) over Macreadie et al,
- (d) Claims 1-3, 5, 6, 11, and 17 under 35 U.S.C. 102(b) over Moreno et al,
- (e) Claims 1-3, 5, 6, 8-11, and 17 under 35 U.S.C. 102(b) over Arunagiri et al, and
- (f) Claims 1-3, 5, 6, 8, 10, 11, 17, and 18 under the doctrine of obviousness-type double patenting over co-pending U.S. 10/059,261,

are obviated by amendment.

Applicants make no statement with respect to these grounds of rejection and in no way acquiesce to the same. Solely to expedite examination of this application, Applicants have canceled rejected Claims 1-3, 5, 6, 8-11, 17, and 18. Thus, these grounds of rejection are believed to be moot.

Withdrawal of these grounds of rejection is requested.

The rejections of Claim 28 under 35 U.S.C. 102(b) over (a) Macreadie et al and (b) Arunagiri et al are respectfully traversed.

Applicants submit that neither Macreadie et al nor Arunagiri et al disclose or suggest the specific sequences set forth in Claim 28 (i.e., the sequences of SEQ ID NOs: 38, 40, and 41). The Examiner alleges that Macreadie discloses the sequence of SEQ ID NO: 40 at Figure 5, line 3; however, this allegation is without merit as the sequence discloses at Figure 5, line 3 contains an additional C-terminal HFRIGC and N-terminal ASRS. Similarly, Arunagiri also contains additional C- and N-terminal residues. Accordingly, Applicants submit that neither Macreadie et al nor Arunagiri et al anticipate the claimed invention.

Withdrawal of these grounds of rejection is requested.

Finally, with respect to the non-elected method claims, Applicants remind the Examiner of MPEP §821.04. Accordingly, upon a finding of allowability of the examined product claims, Applicants respectfully request rejoinder of the withdrawn process claims that depend therefrom.

Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.  
Richard L. Treanor



Vincent K. Shier, Ph.D.  
Registration No. 50,552

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/03)